



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, मंगलवार 24 अगस्त, 2004/2 भाद्रपद, 1926

हिमाचल प्रदेश सरकार

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-2, the 11th August, 2004

No. Ind. B(E)2-3/2002-II.—The Governor, Himachal Pradesh, is pleased to notify Policy Guidelines for Registration, Location, Installation and Working of Stone Crushers in Himachal Pradesh for the operation and regulation of stone crushers as appended herewith with immediate effect.

By order,

Sd/-
A. C. S.-cum-Secretary (Ind.).

INDUSTRIES DEPARTMENT

POLICY GUIDELINES FOR REGISTRATION, LOCATION, INSTALLATION AND WORKING OF STONE CRUSHERS IN HIMACHAL PRADESH

Taking into consideration the overriding principle of protection of ecology and environment, ensure that not a single stone crushing unit in the State causes any Pollution of any type and in consonance with the "River/Stream Bed Mining Policy Guidelines for the State of Himachal Pradesh-2004" as notified on 28-2-2004, the State Government hereby makes the following Policy Guidelines for Registration, Location, Installation and Working of stone crushers in Himachal Pradesh.

1. Mining Lease mandatory for running a stone crusher :

1.1. In order to ensure legal and regular supply of minor minerals, every owner of stone crusher, shall have a valid mining lease for this purpose.

1.2. In respect of River/Stream Bed Mining, leases over larger area of ten hectare or above shall be given priority for setting up of stone crushers.

— For Hill Slope mining, lease area shall depend upon the size of crusher, availability of mineral and annual requirement of mineral in relation to scientific mining. In any case, the area shall not be less than 15 Bighas.

— If the area is less than 15 Bighas and in no case less than 5 Bighas, the period of lease shall be determined, based on reserves calculated and annual requirement as per the proposals given in the Working-cum-Environmental Management Plan, which every lease holder shall have to prepare,

— As per Point No. 9.3 of the River/Stream Bed Mining Policy Guidelines for the State of HP-2004, possibility of utilizing the waste generated during tunneling by various projects and during road construction shall also be studied in the interest of mineral conservation, while granting permission for setting up of crusher in the vicinity of above waste.

2. Provisional Registration of stone crusher :

2.1. No person shall install or run any stone crusher in any area within the State of Himachal Pradesh unless he obtains a Provisional Registration from the Geological Wing, Department of Industries. For this an application in Form-"A" shall be submitted and shall be accompanied by :—

(a) A fee of Rs. 2500/- (Two thousand and five hundred) only.

(b) Revenue record and site plan of the land on which the stone crusher is proposed to be installed, showing the location of the stone crusher with reference to various siting parameters as notified by Govt. on 29-4-03 or amended from time to time.

A stone crusher should have a minimum working area ranging between 2 and 5 Bighas depending upon the size of the stone crusher,

for raising machinery/plant and stacking of raw material/finished product in private land or in Govt land after completing codal formalities and obtaining land lease from the competent authority.

(c) In case of private land, consent of land owner where the stone crusher is to be installed.

(d) An application for mining lease from where the minor mineral shall be used as raw material for feeding/running the stone crusher. This area should be within 5 Kms. radius of the stone crusher.

2.2. Based on these documents, 'Provisional Registration' shall be issued by the Geological Wing, Department of Industries which shall form the base for obtaining pre-production clearance from other Government Departments.

2.3 After provisional registration and Joint Inspection, the consent to Establish from the Himachal Pradesh State Environment Protection & Pollution Control Board (HPEP & PCB) should be obtained. The unit shall submit the Working-cum-Environment Management Plan before the issuance of Consent to Operate (COP) by the State Board.

2.4. Himachal Pradesh State Electricity Board shall give electric connection to the crusher owner only after obtaining Provisional Registration from the Geological Wing.

2.5 Already established stone crushers shall register themselves within a period of 3 months from the date of issuance of these Policy Guidelines and for this registration they will have to produce consent to operate issued by Himachal Pradesh Environment Protection & Pollution Control Board.

3. Joint Inspection of the areas applied for mining lease and for setting up of stone crusher :

3.1 (a) Joint Inspection of crusher site.

The site for setting up the stone crusher shall be appraised and approved by a Joint Inspection Committee, consisting of the following members (as per Notification of Department of Science & Technology dated 29-4-03).

- | | |
|--|--------------------------|
| 1. Sub-Divisional Officer (Civil) concerned | <i>Chairman</i> |
| 2. Divisional Forest Officer or his representative | <i>Member</i> |
| 3. Representative of the State Environment Protection & Pollution Control Board. | <i>Member</i> |
| 4. Executive Engineer, PWD or his representative | <i>Member</i> |
| 5. Executive Engineer, I& PH or his representative | <i>Member</i> |
| 6. Representative of the Department of Tourism | <i>Member</i> |
| 7. Representative of HPSEB-Local Assisant Engineer | <i>Member</i> |
| 8. Geologist or Mining Officer | <i>Member-Secretary.</i> |

- (b) Joint inspection shall be conducted by at least four members viz. Chairman, representative of H. P. State Environment Protection & Pollution Control Board, D. F. O. or his representative and Geologist/Mining Officer on a prescribed checklist. Other members may issue separate NOCs as per the check list.

3.2 Joint Inspection of the areas applied for mining lease :

- (a) The area applied for lease shall be inspected by a Committee consisting of the following members (as per River/Stream Bed Mining Policy Guidelines for the State of H. P. 2004 notified on 28-2-04).

1. Sub-Divisional Officer (Civil) concerned	<i>Chairman</i>
2. Assistant Conservator of Forest/Range Officer	<i>Member</i>
3. Representative of the State Environment Protection and Pollution Control Board.	<i>Member</i>
4. Executive Engineer, PWD or his representative	<i>Member</i>
5. Executive Engineer, I & P H or his representative	<i>Member</i>
6. Representative of the Department of Tourism	<i>Member</i>
7. Mining Officer	<i>Member-Secretary.</i>

- (b) Joint inspection shall be conducted by atleast three members viz. Chairman, Assistant Conservator Forest/Range Officer and Mining Officer on the prescribed check list. Other members may issue separate NOC's as per the check list.

3.3 The grant of Mining lease and approval of stone crusher site by the committee shall be the basis for issuance of permanent registration:

4. Permanent Registration :

- (a) Based on the approval of sites for setting up of the stone crusher, grant of mining lease and after obtaining consent to operate from the Pollution Control Board, permanent registration shall be issued to the owner of the stone crusher by the Geological Wing, Department of Industries, which shall be valid for a period of two years (Form-B).
- (b) The Geological Wing, Department of Industries may renew the Registration for a further period of two years subject to proper functioning of the stone crusher as per the provision of various Acts and Rules and clearance of the all dues including clearance from Pollution Control Board.
- (c) In case the Geological Wing, Department of Industries is of the opinion that it is not expedient to grant a permanent registration taking into consideration the various factors as per the recommendations of the Joint Inspection Committee, it (Geological Wing, Department of Industries) may after giving an opportunity of being heard and for reasons to be recorded in writing and communicated to the applicant, refuse to grant the permanent registration.

- (d) In case of renewal of the registration, the owner of the Stone Crusher shall apply for the renewal at least six months prior to the expiry of the registration in 'Form-A'.
- (e) In case, application for renewal submitted is not disposed off before the expiry of the period of registration, it shall be deemed to have been extended by a further period till the Geological Wing, Department of Industries passes an order thereon.

5. Other conditions for running of stone crushers :

- (a) The owner of the stone crusher shall observe the provisions of :
 - (i) The Air (Prevention and Control of Pollution) Act, 1981 and rules framed thereunder.
 - (ii) The Water (Prevention and Control of Pollution) Act, 1974 and rules framed thereunder.
 - (iii) The Environment (Protection) 1986 and rules framed thereunder.
 - (iv) The Noise Pollution (Regulation and Control) rules 2000.
- (b) No consent for expansion to a crusher shall be given by the Pollution Control Board or electric connection by H. P. S. E. B., without prior approval of Geological Wing, Department of Industries.
- (c) Every stone crusher owner shall ensure that the emission standards as per the statute and as notified by the Government on 29-4-03 and thereafter, if any, are adhered to.
- (d) Every stone crusher owner shall adopt pollution control measures as per Government notification dated 29-4-03 or as amended from time to time.
- (e) The Geological Wing, Department of Industries may impose any such further conditions as it may deem fit for the protection of Environment and Ecology.
- (f) The crusher owner shall submit a return by 10th of every month, giving details of total quantity of minerals crushed electricity consumed, power generated in case of captive power generated run crusher, fuel consumption in case of diesel run crusher, number of labour employed and wages paid etc.
- (g) The crusher owner shall allow the inspecting staff, access to the crusher and make available all records relating to operation of the crusher and verification of source of legal supply of minor minerals and stocks.

6. Conditions for mining leases :

- (a) As per strategy No. 9.6 of River/Stream Bed Mining Policy Guidelines and Rule 21 (4) (i) of H. P. Minor Mineral (Concession) Revised Rules, 1971 (as amended

on 10-6-04) every applicant shall submit Working-cum-Environment Management Plan for carrying out systematic and scientific mining.

- (b) Mining in river/stream beds shall be subject to general conditions as per Strategy No. 9.5 of the River/Stream Bed Mining Policy Guidelines in addition to an other site specific conditions as specified by the Joint Inspection Committee as detailed below.
- (c) Mining in Hill slopes shall be subject to following general conditions.

I. Environmental Considerations:

- (i) No mining shall be allowed within 100 meters of thickly forested area.
- (ii) No mining shall be allowed in areas, which may cause aesthetic/visual degradation near any known tourist spot.
- (iii) No mining shall be allowed where it is likely to disrupt the existing water regime, IPH schemes, roads bridges etc.
- (iv) No mining shall be allowed where danger to site of culture, religions, historical, archeological or scenic importance is likely.
- (v) No mining shall be allowed near habitation, where it is likely to cause noise and vibration problems, due to blasting or operation of machinery.
- (vi) No mining shall be allowed where proper disposal of mine waste cannot be arranged.
- (vii) Conditions shall be imposed that the lease holder will take adequate steps to control and check soil erosion, debris flow etc., by raising various engineering structures.

II. Geological and Geomorphological Considerations :

- (i) No mining shall be allowed where the slop angles are more than 45° from horizzontal and in case of mid slopeming, the foot wall should be of hard strata.
- (ii) No mining lease shall be granted where the ore to over burdon ratio is not economical i. e. 1:0:2, that is, waste generation should not be more than 20%.
- (iii) Proper appraisal of the deposit for its qualitative and quantitative assessment shall be made in the form of Geological and topographical plans.

III. Technical Consideration:

- (i) The area should not be highly jointed, fractured or consisting of weak planes.
- (ii) Relation of slope angle to angle of repose should be within mining parameters where 6×6 metre benches by keeping overall angle of repose as 45° can be made.

- (iii) No mining shall be allowed where subsidence of rocks is likely due to steep angle of slope.
- (iv) No overhangs shall be allowed to be formed during the course of mining.
- (v) The gradient of approach roads shall be gentle with hill-ward slope, side drains and parapet walls. Adequate number of waiting and crossing points shall be provided for safe plying of vehicles.
- (vi) No blasting shall be resorted to without taking proper license under Explosive Act.

(d) General Conditions :

- (i) Mining site shall only be handed over to the lease holder, after it is duly demarcated by permanent boundary pillars and certified by concerned Mining Officer.
- (ii) Junction at take off point of approach road with main road shall be developed with proper width and geometrics required for safe movement of traffic by crusher owner at his own cost and in consultation with Executive Engineer, H. P. P.W.D.
- (iii) No lease holder shall store/stack any material in the acquired width of PWD road without the specific permission of the competent authority.
- (iv) In addition to above, the mining operation shall be subject to provisions of various Acts and Rules in force.
- (v) Dumping of waste shall be done in earmarked places as per the Working Plans.

(e) Relaxation in special cases:

State Government may if it is of opinion that in the ineterest of projects of national importance or in the interest of national security or in the interest of mineral development, it is necessary to do so, by order in writing and for reasons to be recorded, authorize in any case setting up and working of stone crusher on terms and conditions different from those as laid down in these policy guidelines.

FORM-A

APPLICATION FOR GRANT/RENEWAL OF PROVISIONAL/PERMANENT REGISTRATION FOR SETTING UP OF STONE CRUSHER AND FOR ALREADY ESTABLISHED STONE CRUSHER IN STATE OF HIMACHAL PRADESH

To

The State Geologist,
Himachal Pradesh,
Shimla-171 001

1. Name of the Applicant
2. Address of the applicant/firm

Pin code.....

- | | | |
|---|--|--|
| 3. Place of Registration of Firm | | |
| 4. Nationality of Applicant | | |
| 5. Telephone No. | Office | Residence |
| 6. Particulars of the fee deposited | Treasury Challan/
receipt (T. R.-5) No
Deposited at | Rs. 2500/-
No.....
date.....
.....H. P. |
| 7. The Name of the Minor Mineral
to be crushed, | | |
| 8. The detail of the areas where
crusher is to be installed/already
installed. | Kh. No.....
Ownership.....
Kism.....
Area.....
Mauza.....
Gram Panchayat.....
Tehsil & District..... | |
| 9. Distance From | National Highway.....
State Highway.....
Link road.....
District HQ.....
Town.....
Abadi.....
School.....
Hospital.....
Spring.....
Water Supply Scheme.....
Wet land.....
Any Other..... | |
| 10. The detail of machinery to be
installed/already installed.....
viz No. of Jaws/Rooles Sets &
combination of Jaw-cum-Roller
etc. | | |
| 11. Total investment on land, building
and machinery. | | |
| 12. Total No of worker to be employed/
employed. | Skilled.....
Unskilled..... | |
| 13. The approximate annual demand
of Mineral. | | |
| 14. The source of Mineral | | |
| 15. Whether applicant is having any
mining lease or applying for/
Applied for. | | |

16. If lease is already granted than the particular of lease

Kh. No.....
Ownership.....
Kism.....
Area.....
Mauza.....
Gram Panchayat.....
Tehsil & District.....
Date of Grant.....
Period of lease.....
Distance of Crusher site form the lease.....

17. If applying for lease, the particular of the area applied for

Kh. No.....
Ownership.....
Kism.....
Area.....
Mauza.....
Gram Panchayat.....
Tehsil & District.....
Date of application.....
Distance of Crusher site form the lease.....

18. The detail of First Aid facility at Crusher

19. The detail of steps to be taken (In case of existing Crusher) for ensuring compliance of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environmental Protection Act, 1981 and the rules and notification framed or issued thereunder.

20. Source of Water Supply

21. In Case of Existing crusher

Date of COE.....
Date of COP.....
Date of ROC.....

22. Any other information applicant want to furnish.

23. Date

Signature

Sl. No.....

PROVISIONAL REGISTRATION**GOVERNMENT OF HIMACHAL PRADESH****OFFICE OF STATE GEOLOGIST DEPARTMENT OF INDUSTRIES SHIMLA-1**

Whereas Shri/Ms.....
Owner of.....
 Crusher/ (to be established) has/have applied for the Provisional Registration for installation of
 Stone Crusher in Kh. No.....Mauza.....Gram
 Panchayat.....P. O.....Tehsil.....
 District.....measuring....., vide application No.....
Dated.....as per the provision of the POLICY GUIDE-
LINES FOR REGISTRATION, LOCATION, INSTALLATION AND WORKING OF
STONE CRUSHERS IN HIMACHAL PRADESH.

Provisional registration is hereby granted to Shri/Ms.....
 Subject to the following conditions:—

1. After Joint Inspection of the proposed stone crusher site, the consent to Establish from the Himachal Pradesh State Environment Protection & Pollution Control Board (H. P. E. P. & P. C. B.) should be obtained.
2. The consent to operate (C. O. P.) by Himachal Pradesh State Environment Protection & Pollution Control Board (H. P. E. P. & P. C. B.) shall be given after grant of mining lease and approval of Working-cum-Environment Management Plan.

The unit shall submit the Working-cum-Environment Management Plan.

Date of Issue.....

State Geologist

Himachal Pradesh

Sl. No.....

FORM-B

PERMANENT REGISTRATION**GOVERNMENT OF HIMACHAL PRADESH****OFFICE OF STATE GEOLOGIST DEPARTMENT OF INDUSTRIES SHIMLA-1**

Whereas Shri/Ms.....
 Owner.....of.....
 crusher/(to be established) has/have applied for the permanent Registration for Installation of
 Stone Crusher in Kh. No.....Mauza.....
 Gram Panchayat.....P. O.....
 Tehsil.....District.....measuring....., vide
 application No.....Dated.....as per the provision of the POLICY GUIDE-
LINES FOR REGISTRATION, LOCATION, INSTALLATION AND WORKING OF
STONE CRUSHERS IN HIMACHAL PRADESH.

Permanent Registration is hereby granted to Shri/Ms....., subject to the following conditions:—

1. The owner of the stone crusher shall observe the provisions of;
 - (i) The Air (Prevention and Control of Pollution) Act, 1981 and rules framed thereunder.
 - (ii) The Water (Prevention and Control of Pollution) Act, 1974 and rules framed thereunder.
 - (iii) The Environment (Protection) 1986 and rules framed thereunder.
 - (iv) The Noise Pollution (Regulation and Control) rules 2000.
 - (v) Himachal Pradesh Minor Mineral (Concession) Revised Rules, 1971.
 - (vi) Any other Law/provisions related to the stone crusher.
2. Expansion of a stone crusher shall not be given unless approved by Geological Wing, Department of Industries, Himachal Pradesh.
3. Stone Crusher owner shall ensure that the, emission standards are as per the Statute and as notified by the Government on 29-4-03 or amended from time to time are adhered to.
4. Stone crusher owner shall adopt pollution control measures as per Government *vide* Notification No.....dated 29-4-03 or as amended from time to time.
5. The Geological Wing, Department of Industries may impose any such further conditions as it may deem fit in the interest of Environment & Ecology.
6. The Crusher Owner shall submit a return by 10th of every month to the concerned Mining Officer, giving details of total quantity of minerals crushed, electricity consumed, power generated in case of captive power generated run crusher, fuel consumption in case of diesel run crusher, number of labour employed and wages paid etc.
7. Free access should be given to the officer/official of the Geological Wing, Department of Industries, Himachal Pradesh for the verification of plant & machinery, source/ supply of raw material, sale record and stocks of raw material and finished goods.
8. The Crusher Owner shall immediately report to the Deputy Commissioner and Mining Officer of the district concerned about any accident which may take place during the course of crushing operation resulting in serious bodies injury.
9. The Crusher Owner shall not pay wages less than the minmum wages prescribed by the Central or State Government from time to time under the Minimum Wages, Act, 1948, to the workers employed in the crushing unit.
10. The Crusher Owner shall indemnify the State Government against the claim of the third party.
11. State Government may if it is of opinion that in the interest of projects of national importance or in the interest of national security or in the interest of mineral development it is necessary to do so, or order in writing and for reasons to be recorded

authorize in any case setting up and working of stone crusher on terms and conditions different from those as laid down in these policy guidelines.

12. The owner of the Stone Crusher shall apply for the renewal at least six month's before the expiry of the registration in 'Form-'A'.

The registration is valid upto.....

Date of Issue.....

*State Geologist,
Himachal Pradesh.*